

15 Monday, August 15, 2016

17 Whereupon, the above-referenced matter
18 came on for hearing at the Alcoholic Beverage
19 Control Board, Reeves Center, 2000 14th Street,
20 N.W., Suite 400S, Washington, D.C. 20009.

1 CHAIRPERSON:

2 LAVERNE FLETCHER, MEDIATOR

3

4 ALSO PRESENT:

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6 SEYED VEHESHTIAN

7 On behalf of Fino Tavern

8 JIM LAMARE,

9 On behalf of ANC 2F-05

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1 P-R-O-C-E-E-D-I-N-G-S

2 ROLL CALL HEARING

3 MS. LAVERNE FLETCHER: Okay. We're ready
4 now. Would the parties --

5 MR. SEYED VEHESHTIAN: Yes, ma'am.

6 MS. LAVERNE FLETCHER: -- in the matter
7 of Fino Tavern --

8 MR. SEYED VEHESHTIAN: Fino Tavern, yes.

9 MS. LAVERNE FLETCHER: -- please come
10 forward, with the applicant on this side, please
11 --

12 MR. SEYED VEHESHTIAN: Yes. Mm-hmm.

13 MS. LAVERNE FLETCHER: -- and the ANC on
14 this side?

15 MR. SEYED VEHESHTIAN: Yes.

16 MS. LAVERNE FLETCHER: Thank you.

17 MR. SEYED VEHESHTIAN: Yes, ma'am.

18 MS. LAVERNE FLETCHER: This is Case #16-
19 PRO-00087, Fino Tavern, LLC, trading as Fino
20 Tavern --

21 MR. SEYED VEHESHTIAN: Yes, ma'am.

22 MS. LAVERNE FLETCHER: -- 1230 9th

1 Street, N.W., License #ABRA-103164. This is a
2 Retail Class CR --

3 MR. SEYED VEHESHTIAN: Yes, ma'am.

4 MS. LAVERNE FLETCHER: -- a new
5 application. Uh, my name is LaVerne Fletcher. I'm
6 conducting the roll call hearing as the Board's
7 agent, pursuant to D.C. Official Code 1601.2.

8 The, uh, protest issues are adverse
9 impact on peace, order, and quiet.

10 Introductions beginning with the
11 applicant, please. If you could state your name
12 and spell it for the record.

13 MR. SEYED VEHESHTIAN: Yeah, my name is
14 Seyed -- S-e-y-e-d -- last name is Veheshtian --
15 is, uh, V-e-h-e-s-h-t-i-a-n -- and, uh, uh, the
16 restaurant address is 1230-B 9th Street, N.W.,
17 Washington, D.C.

18 MS. LAVERNE FLETCHER: Uh, could you --
19 could you spell your first name again, please?

20 MR. SEYED VEHESHTIAN: Seyed -- S-e-y-e-
21 d.

22 MS. LAVERNE FLETCHER: Okay, Seyed, and

1 your last name is -- ?

2 MR. SEYED VEHESHTIAN: Veheshtian is V-e-
3 h-e-s-h-t-i-a-n.

4 MS. LAVERNE FLETCHER: Thank you very
5 much.

6 MR. SEYED VEHESHTIAN: My pleasure.

7 MS. LAVERNE FLETCHER: And, uh, would you
8 please put your contact information on that sheet
9 for us?

10 MR. SEYED VEHESHTIAN: Yeah.

11 MS. LAVERNE FLETCHER: Thank you. Uh,
12 present on behalf of ANC-2F?

13 MR. JIM LAMARE: Um, I'm Jim Lamare -- L-
14 a-m-a-r-e, and I am the representative from, uh,
15 SMD 05-2F.

16 MS. LAVERNE FLETCHER: Thank you. Uh, L-
17 i-m-a-r-e?

18 MR. JIM LAMARE: Uh, L-a-m-a-r-e.

19 MS. LAVERNE FLETCHER: Thank you. ANC-2F
20 does have standing as a protestant. We need to --
21 Uh, Mr. Lamare, could you put your contact --

22 MR. JIM LAMARE: Sure.

1 MS. LAVERNE FLETCHER: -- information on
2 that sheet, please? Thank you.

3 COURT REPORTER: Okay, can you talk into
4 the mic more?

5 MS. LAVERNE FLETCHER: Can I do what?

6 (No audible response)

7 MS. LAVERNE FLETCHER: Okay. Do you need
8 me to repeat anything?

9 COURT REPORTER: Uh-uh.

10 MS. LAVERNE FLETCHER: We need to
11 schedule a date for a mediation and status
12 hearing and a protest hearing. I'll give you the
13 dates for the status and protest hearing first.

14 The status hearing is scheduled for
15 September the 21st, at 9:30 a.m. The protest
16 hearing is scheduled for October 19, at 1:30 p.m.
17 You will receive written notice of these, uh,
18 dates and times, but the status hearing is
19 September 21st, at 9:30 --

20 MR. SEYED VEHESHTIAN: Is that -- It --
21 it means you have two hearings?

22 MS. LAVERNE FLETCHER: Yeah, there are

1 two hearings before the Board. Uh, one is on
2 September the 21st, at 9:30. Um, the second
3 hearing before the Board is, um, the protest
4 hearing on October 19th, at 1:30.

5 MR. SEYED VEHESHTIAN: The ANC, they told
6 me we don't have it; everything's okay. We signed
7 a contract; everything's okay.

8 MS. LAVERNE FLETCHER: But the --

9 MR. SEYED VEHESHTIAN: We don't have to
10 have --

11 MS. LAVERNE FLETCHER: But the ANC has --
12 you and the ANC have entered into a settlement
13 agreement, and it has been submitted to the ABC
14 Board --

15 MR. SEYED VEHESHTIAN: Mm-hmm.

16 MS. LAVERNE FLETCHER: -- uh, and the ABC
17 Board reviewed the settlement agreement, and if
18 they approve it, they will move this case off the
19 calendar.

20 MR. SEYED VEHESHTIAN: Exactly. Because I
21 talked to Charlie, the person in charge --

22 MS. LAVERNE FLETCHER: Did you sign the

1 settlement agreement already?

2 MR. SEYED VEHESHTIAN: Well, he -- his --
3 his father is in the hospital in Florida. He's
4 supposed to draft it, uh, weekends.

5 MS. LAVERNE FLETCHER: Yeah.

6 MR. SEYED VEHESHTIAN: He's going back --
7 he came back Saturday. He drafting, and he says
8 he going to give it to me today or tomorrow --

9 MS. LAVERNE FLETCHER: Okay.

10 MR. SEYED VEHESHTIAN: -- to sign.

11 MS. LAVERNE FLETCHER: Well, if that --
12 if that happens, then these -- and -- and the
13 settlement agreement is submitted to the ABC
14 Board, then the Board will cancel the status
15 hearing and the protest hearing if you sign the
16 agreement.

17 MALE SPEAKER: Beautiful.

18 MS. LAVERNE FLETCHER: For the purpose of
19 the roll call hearing today, there is no
20 settlement agreement.

21 MR. SEYED VEHESHTIAN: Exactly. That's
22 what -- Yeah.

1 MS. LAVERNE FLETCHER: And so, the, um,
2 first two dates are going to be on the Board's
3 calendar, and I'm going to have to schedule a
4 date for mediation with the Board mediator, as
5 well.

6 MR. SEYED VEHESHTIAN: Exactly. If the --
7 the ANC sign the paper, we don't have to have
8 mediation.

9 MS. LAVERNE FLETCHER: That's exactly
10 right.

11 MR. SEYED VEHESHTIAN: Yes, ma'am.

12 MS. LAVERNE FLETCHER: If the ANC signs
13 the settlement agreement, all these dates that I
14 have given to you --

15 MR. SEYED VEHESHTIAN: That's all gone.
16 Okay. Yes, ma'am.

17 MS. LAVERNE FLETCHER: And so, I'll give
18 you a date for mediation that we agree on, but I
19 -- I'll make a note that you -- we won't need it.

20 MR. SEYED VEHESHTIAN: Okay.

21 MR. JIM LAMARE: Yeah, that's my
22 understanding.

1 MS. LAVERNE FLETCHER: Is that your
2 understanding, too?

3 MR. JIM LAMARE: Yes. Uh, we hope to
4 proceed in our September meeting, which is the
5 first Wednesday in September.

6 MS. LAVERNE FLETCHER: Yeah, when did you
7 -- when did you vote, uh, Mr. Lamare?

8 MR. JIM LAMARE: I'm sorry?

9 MS. LAVERNE FLETCHER: When did you --
10 has the ANC already voted on the settlement
11 agreement?

12 MR. JIM LAMARE: No, we -- we -- we are -
13 - intend to do it at our first meeting, soon.

14 MS. LAVERNE FLETCHER: September?

15 MR. JIM LAMARE: Right.

16 MS. LAVERNE FLETCHER: And so, do you
17 know when that meeting is (inaudible)?

18 MR. SEYED VEHESHTIAN: Yes.

19 MR. JIM LAMARE: The first Wednesday.

20 MS. LAVERNE FLETCHER: The first
21 Wednesday of September?

22 MR. JIM LAMARE: Yeah, sorry.

1 MS. LAVERNE FLETCHER: So, uh, what I'm -
2 - What --

3 MR. SEYED VEHESHTIAN: What they told me
4 -- but what Charlie -- I'm sorry, Charlie told me
5 told me that I come here and do all this stuff
6 and, uh, uh, send it to the Liquor Board. That's
7 what they told me.

8 MS. LAVERNE FLETCHER: Yeah, because they
9 obviously have to assume that none of that's
10 going to happen.

11 MR. SEYED VEHESHTIAN: Oh, I see.

12 MS. LAVERNE FLETCHER: And if it does,
13 then we'll cancel them.

14 MR. SEYED VEHESHTIAN: Okay, great.
15 That's wonderful.

16 MR. JIM LAMARE: That's my understanding.

17 MS. LAVERNE FLETCHER: So the, uh -- the
18 meeting is going to be the first week in
19 September --

20 MR. SEYED VEHESHTIAN: Right.

21 MS. LAVERNE FLETCHER: -- over at, uh,
22 the ANC?

1 MR. JIM LAMARE: That is what I
2 understand, yes.

3 MS. LAVERNE FLETCHER: I'll schedule the
4 mediation the second week in September --

5 MR. SEYED VEHESHTIAN: Mm-hmm.

6 MS. LAVERNE FLETCHER: -- to give the ANC
7 time to --

8 MR. JIM LAMARE: Oh --

9 MR. SEYED VEHESHTIAN: Exactly.

10 MR. JIM LAMARE: -- yes, that would be
11 good. Thank you. It looks like our meeting's on
12 the 07th.

13 MS. LAVERNE FLETCHER: It's on the 07th?

14 MR. JIM LAMARE: Right.

15 MR. SEYED VEHESHTIAN: Mm-hmm.

16 MS. LAVERNE FLETCHER: Then what I can
17 do, I can actually schedule the mediation for
18 September the 08th, the day after --

19 MR. SEYED VEHESHTIAN: Yes.

20 MS. LAVERNE FLETCHER: -- assuming it's
21 not going to happen anyway.

22 MR. SEYED VEHESHTIAN: Okay. Good.

1 MS. LAVERNE FLETCHER: So, do you have a
2 preference for mediation on September the 09th? I
3 mean, the 08th?

4 MR. JIM LAMARE: I don't think so.

5 MS. LAVERNE FLETCHER: Any particular
6 time? Nine o'clock in the morning?

7 MR. SEYED VEHESHTIAN: Yes.

8 MS. LAVERNE FLETCHER: So, I set the
9 mediation for 9:00 on --

10 MR. SEYED VEHESHTIAN: September --

11 MS. LAVERNE FLETCHER: -- September the
12 08th, and I -- I'm going to make a note here that
13 it's probably not going to occur, you know. We --
14 we can look that the settlement agreement most
15 likely will be submitted, uh, immediately
16 following your meeting --

17 MR. JIM LAMARE: Right.

18 MS. LAVERNE FLETCHER: -- the ANC's
19 meeting on September the 07th.

20 MR. JIM LAMARE: Okay.

21 MR. SEYED VEHESHTIAN: Beautiful.

22 MS. LAVERNE FLETCHER: Okay.

1 MR. SEYED VEHESHTIAN: Wonderful.

2 MS. LAVERNE FLETCHER: If you've got your
3 contact information on that sheet, that's all we
4 need.

5 MR. SEYED VEHESHTIAN: Yes.

6 MS. LAVERNE FLETCHER: You're going to be
7 receiving a, uh -- a hearing notice of all the
8 dates that I just mentioned by mail.

9 MR. SEYED VEHESHTIAN: Okay. Great, then.

10 MS. LAVERNE FLETCHER: Okay. Well, thank
11 you for coming.

12 MR. SEYED VEHESHTIAN: My pleasure. My
13 pleasure. Thank you.

14 MS. LAVERNE FLETCHER: Thank you.

15 MR. SEYED VEHESHTIAN: Uh, do I --

16 MS. LAVERNE FLETCHER: Uh, you can leave
17 that right there.

18 MR. SEYED VEHESHTIAN: Yes ma'am.

19 MS. LAVERNE FLETCHER: I'll get it. Thank
20 you very much.

21 MR. SEYED VEHESHTIAN: That's wonderful.

22 MR. JIM LAMARE: Thank you.

1 MS. LAVERNE FLETCHER: Thank you.

2 MR. SEYED VEHESHTIAN: Bye-bye.

3 MR. JIM LAMARE: Thank you.

4 (Whereupon, the above-entitled matter was
5 concluded.)